

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | | |
|--------------------------|---|---------------------|
| SHAWN DRUMGOLD, |) | C.A. NO. 04-11193NG |
| Plaintiff |) | |
| |) | |
| v |) | |
| |) | |
| TIMOTHY CALLAHAN, ET AL. |) | |
| Defendant(s) |) | |
| |) | |

INITIAL DISCLOSURE

A. WITNESSES LIKELY TO HAVE DISCOVERABLE INFORMATION:

1. Shawn Drumgold, Brockton, Massachusetts, Plaintiff in the above-entitled matter;
2. Rochelle Drumgold, Brockton, Massachusetts. Plaintiff's wife, as to damages caused by this matter;
3. Karen Drumgold, Brockton, Massachusetts, Plaintiff's daughter, concerning damages;
4. Antonio Anthony, 50 Pleasant Street, Apt 7B, Brookline, Massachusetts 02446, concerning the matters he testified to at the Motion for New Trial;
5. Lola Alexander, 4 Theodore Street, Apt 3, Dorchester, Massachusetts 02124, as set out in the Affidavit filed in Support of the Defendant's Motion for New Trial;
6. Phillip Beauchesne, Esq., Marblehead, Massachusetts, concerning his actions in prosecuting Mr. Drumgold;
7. Timothy Callahan, Defendant, concerning his involvement in the prosecution of Shawn Drumgold;
8. Keeper of the Records of Century Bank, concerning Suffolk County District Attorney Boston Police bank accounts;
9. Chris Chaney, 141 Homestead Street, #9, Dorchester, Massachusetts 02121, concerning his observations on August 19, 1988;
10. Paul Connolly, Esq., regarding the Treas Carter case;

11. Laura Scherz, Suffolk County District Attorney employee, concerning her dealings with Ricky Evans;
12. Allen Daughtry, 50 Homestead St., Boston, Massachusetts, concerning his observations on August 19, 1988 of a white Suzuki;
13. Theron Davis, concerning his observations on August 19, 1988 and his involvement with the Boston Police thereafter;
14. Juanda Drumgold, Boston, Massachusetts, damages;
15. Ricky Evans, 19 Bradlee Street, Apt 3, Dorchester,, Massachusetts 02124, concerning his observations on August 19,1988 and his subsequent dealings with the Boston Police and Suffolk County prosecutors;
16. Olisa Graham, 644 River Street, Apt 5, Mattapan, Massachusetts 02126, concerning her observations on August 19, 1988 and her dealings with the Boston Police and Suffolk County prosecutors;
17. Tynetta Gray, Boston, Massachusetts, concerning her observations on August 19, 1988 and her conversations with Michelle Payne;
18. Gemini Hullum, 215 Canton Street, Randolph, Massachusetts 02368, concerning her observations on August 19, 1988 and her conversations with Boston Police officers;
19. Troy Jenkins, 41 Intervale Street, Apt 3, Dorchester, Massachusetts 02121, concerning his observations on August 19, 1988;
20. Eric Johnson, 30 Regina Road, Apt 3, Dorchester, Massachusetts 02124, concerning his observations on August 19, 1988 and his dealings with the Boston Police and Suffolk County prosecutors;
21. Travis Johnson, Boston, Massachusetts, concerning his observations on August 19, 1988 and his dealings with the Boston Police;
22. Scott Keller, 32 Arrowwood St., Methuen, MA, concerning his conversations with various witnesses in the Shawn Drumgold case;
23. Betty Peaks, 67 Woolson Street, Apt 2, Mattapan, Massachusetts 02126, concerning observations on August 19, 1988 and dealings with the Boston Police and Suffolk County prosecutors;
24. Tracy Peaks, 67 Woolson Street, Apt 2, Mattapan, Massachusetts 02126, concerning observations on August 19, 1988 and dealings with the Boston Police and Suffolk County prosecutors;
25. Angelo Perkins, concerning his observations on August 19, 1988 and his knowledge concerning Theron Davis;

26. Steven Rappaport, Esq., concerning his activities in the Shawn Drumgold case;
27. Tony Smith, concerning his investigation of August 19, 1988;
28. Mark Deluca, Boston Police Officer, concerning his investigation on August 19, 1988;
29. Terrence Taylor, FCI Ray Brook, 128 Ray Brook Road, Ray Brook, New York 12977, concerning his observations on August 19, 1988;
30. Richard Walsh, Boston Police, Co-Defendant in this matter;
31. John Roache, Esq., concerning his observations of Shawn Drumgold and his activities concerning his supervision of the Boston Police officers;
32. Rosemary McLaughlin, Police Officer, concerning her investigation regarding Shawn Rowell;
33. Francis O'Meara, Esq., concerning his involvement and prosecution of Shawn Drumgold;
34. Ralph Martins, Esq., concerning his investigation of Boston Police Department;
35. Detective McDonough, Boston Police, concerning his involvement in the Drumgold investigation;
36. Paul Evans, Boston Police, concerning Boston Police practices and his involvement in the Drumgold investigation;
37. Head of Boston Police Homicide Unit, concerning Boston Police practices and his involvement in the Drumgold investigation.

B. RELEVANT DOCUMENTS

The Plaintiff has the following category of documents under his custody, care or control. Plaintiff can make copies if necessary.

1. Transcripts

Commonwealth v. Shawn Drumgold, Suffolk County Superior Court 07182

- a. Pretrial and motion

March 7, 1989, April 2, 1990, August 22, 1990

b. Trial

September 5, 1989
September 26, 1989
September 29, 1989
October 2, 1989
October 3, 1989
October 5, 1989
October 6, 1989 with the exception of pages 1 through 71
Day 9 with the exception of pages 1 through 71;
Day 10 with the exception of pages 1 through 63;
Day 11, October 12, 1989

c. Hearing for Motion for New Trial

July 29, 2000
July 30, 2000
July 31, 2000
August 4, 2003
August 5, 2003
August 6, 2003.

2. Police Reports

- a. The Defendant has police reports produced in discovery in the original trial as well as supplemental information provided by the prosecutor in connection with the Motion for New Trial;
- b. Reports produced by Patrick Hamilton, Assistant United States District Attorney in Drumgold v. Dubois.

3. Pleadings

Plaintiff has copies of the pleadings in

- a. Commonwealth v. Drumgold, Suffolk County Superior Court, 07182;
- b. Commonwealth v. Drumgold, Supreme Judicial Court No. 5574;
- c. Drumgold v. Dubois, United States District Court for the District of Massachusetts, Civil Action No. 79-11607-NG;

C. COMPUTATION OF DAMAGES

The Plaintiff's damages are a complete loss of freedom for 17 years and the resulting damages. There is no mathematical or mechanical computation of damages. The

damages must be determined by a jury. Damages will be established primarily by the testimony of the Plaintiff and his family.

D. INSURANCE AGREEMENT

Unknown to the Plaintiff.

Respectfully submitted,
Attorney for Plaintiff,
Shawn Drumgold

/s/ Rosemary Curran Scapicchio

Rosemary Curran Scapicchio, Esq.
Four Longfellow Place
Suite 3703
Boston, MA 02114
(617) 263-7400
BBO# 558312

Respectfully submitted,
Attorney for Plaintiff,
Shawn Drumgold

/s/ Michael W. Reilly

Michael W. Reilly, Esq.
Tommasino & Tommasino
2 Center Plaza
Boston, MA 02108
(617) 723-1720
BBO# 415900